

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JANICE L. JACKSON,)	
)	
Plaintiff,)	
)	
v.)	
)	No. <u>07-2497 Ma/P</u>
THE BOARD OF EDUCATION OF THE)	
MEMPHIS CITY SCHOOLS, MARGARET)	
MCKISSICK-LARRY and KIMKEA)	
HARRIS,)	
)	
Defendants.)	

ORDER DENYING DEFENDANTS' MOTION TO STRIKE SUMMARY OF FACTS AND
NEW ADDITIONAL FACTS

Before the court by order of reference is defendants' Motion to Strike Summary of Facts and New Additional Facts Set Forth in Plaintiff's Response in Opposition to Defendants' Motion for Summary Judgment, filed July 6, 2009. (D.E. 137.) The court finds that neither the Local Rules nor the case of Memphis-Shelby County Airport Authority v. Illinois Valley Paving Company (W.D. Tenn. Sept. 15, 2006), authorize the court to strike from the docket the plaintiff's summary of facts and additional facts. In addition, the defendants were granted permission to file a reply brief to the address the plaintiff's new facts. It is anticipated that the trial judge, in deciding the motion for summary judgment, will determine what, if any, weight to give to the plaintiff's facts.

IT IS SO ORDERED.

s/ Tu M. Pham
TU M. PHAM
United States Magistrate Judge

July 13, 2009
Date